UNITED NATIONS **A**

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A/RES/50/176
27 February 1996

Fiftieth session
Agenda item 112 (b)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/50/635/Add.2)]

50/176. National institutions for the promotion and protection of human rights

The General Assembly,

Recalling the relevant resolutions of the General Assembly and the Commission on Human Rights concerning national institutions for the promotion and protection of human rights,

Stressing the importance of the Universal Declaration of Human Rights, 1/ the International Covenants on Human Rights 2/ and other international instruments for promoting respect for and observance of human rights and fundamental freedoms,

Convinced of the important role national institutions play in promoting and protecting human rights and fundamental freedoms and in developing and enhancing public awareness of those rights and freedoms,

Mindful in this regard of the guidelines on the structure and functioning of national and local institutions for the promotion and protection of human rights endorsed by the General Assembly in its resolution 33/46 of 14 December 1978,

Recalling the Vienna Declaration and Programme of Action, 3/ in which the World Conference on Human Rights reaffirmed the important and constructive

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1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

3/ A/CONF.157/24 (Part I), chap. III.

role played by national institutions for the promotion and protection of human rights, in particular in their advisory capacity to the competent authorities, their role in remedying human rights violations, in the dissemination of human rights information and in education in human rights,

Noting the diverse approaches adopted throughout the world for the promotion and protection of human rights at the national level, emphasizing the universality, indivisibility and interdependence of all human rights, and emphasizing and recognizing the value of such approaches to promoting universal respect for and observance of human rights and fundamental freedoms,

Recalling the principles relating to the status of national institutions for the promotion and protection of human rights, as contained in the annex to General Assembly resolution 48/134 of 20 December 1993, and recognizing the need for their continued dissemination,

Welcoming the growing interest shown worldwide in the creation and strengthening of independent and pluralistic national institutions,

Recognizing that the United Nations plays an important role in assisting the development of national institutions,

Noting with satisfaction the constructive participation of representatives of a number of national institutions for the promotion and protection of human rights in international seminars and workshops,

1. Takes note with satisfaction of the updated report of the Secretary-General; 4/

2. Reaffirms the importance of the development of effective, independent and pluralistic national institutions for the promotion and protection of human rights in keeping with the Vienna Declaration and Programme of Action and, inter alia, the principles relating to the status of national institutions for the promotion and protection of human rights contained in the annex to General Assembly resolution 48/134, and recognizes that it is the right of each State to choose the framework that is best suited to its particular needs at the national level;

3. Encourages Member States to establish or, where they already exist, to strengthen national institutions for the promotion and protection of human rights, as outlined in the Vienna Declaration and Programme of Action, and, where appropriate, to incorporate those elements in national development plans or in their preparation of national action plans;

4. Encourages national institutions for the promotion and protection of human rights established by Member States to prevent and combat all violations of human rights as enumerated in the Vienna Declaration and Programme of Action and relevant international instruments;

5. Affirms the role of national institutions, where they exist, as appropriate agencies for the dissemination of human rights materials and public information activities, including those of the United Nations;

4/ A/50/452.

6. Requests the Secretary-General to give high priority to requests from Member States for assistance in the establishment and strengthening of national institutions for the promotion and protection of human rights as part of the programme of advisory services and technical assistance in the field of human rights, and invites Governments to contribute to the United Nations Voluntary Fund for Advisory Services and Technical Assistance in the Field of Human Rights for these purposes;

7. Notes the role of the coordinating committee created by national institutions at the second International Workshop on National Institutions for the Promotion and Protection of Human Rights, held at Tunis from 13 to 17 December 1993, in close cooperation with the Centre for Human Rights of the Secretariat, to assist Governments and institutions, when requested, to follow up on relevant resolutions and recommendations concerning the strengthening of national institutions;

8. Also notes the importance of finding an appropriate form of participation by national institutions in relevant United Nations meetings dealing with human rights;

9. Recognizes the important and constructive role that non-governmental organizations may play, in cooperation with national institutions, for the better promotion and protection of human rights;

10. Encourages all Member States to take appropriate steps to promote the exchange of information and experience concerning the establishment and effective operation of such national institutions;

11. Requests the Secretary-General to report to the General Assembly at its fifty-second session on the implementation of the present resolution.

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/50/635/Add.2)]

50/177. United Nations Decade for Human Rights Education

The General Assembly,

Guided by the Charter of the United Nations and the Universal Declaration of Human Rights, 1/

Reaffirming article 26 of the Universal Declaration of Human Rights, according to which "education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms",

Recalling the provisions of other international human rights instruments, such as those of article 13 of the International Covenant on Economic, Social and Cultural Rights 2/ and article 28 of the Convention on the Rights of the Child, 3/ that reflect the aims of the aforementioned article,

Taking into account Commission on Human rights resolution 1993/56 of 9 March 1993, 4/ in which the Commission recommended that knowledge of human

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1/ Resolution 217 A (III).

2/ See resolution 2200 A (XXI), annex.

3/ Resolution 44/25, annex.

4/ See Official Records of the Economic and Social Council, 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A.

rights, both in its theoretical dimension and its practical application, should be established as a priority in educational policies,

Convinced that human rights education should involve more than the provision of information and should constitute a comprehensive life-long process by which people at all levels in development and in all strata of society learn respect for the dignity of others and the means and methods of ensuring that respect in all societies,

Convinced also that human rights education contributes to a concept of development consistent with the dignity of women and men of all ages that takes into account the diverse segments of society such as children, indigenous people, minorities and disabled persons,

Taking into account the efforts to promote human rights education made by educators and non-governmental organizations in all parts of the world, as well as by intergovernmental organizations, including the United Nations Educational, Scientific and Cultural Organization, the International Labour Organization and the United Nations Children's Fund,

Convinced that each woman, man and child, to realize their full human potential, must be made aware of all their human rights - civil, cultural, economic, political and social,

Believing that human rights education constitutes an important vehicle for the elimination of gender-based discrimination and ensuring equal opportunities through the promotion and protection of the human rights of women,

Aware of the experience in human rights education of United Nations peace-building operations, including the United Nations Observer Mission in El Salvador and the United Nations Transitional Authority in Cambodia,

Considering the World Plan of Action on Education for Human Rights and Democracy, 5/ adopted by the International Congress on Education for Human Rights and Democracy convened by the United Nations Educational, Scientific and Cultural Organization at Montreal from 8 to 11 March 1993, according to which education for human rights and democracy is itself a human right and a prerequisite for the realization of human rights, democracy and social justice,

Bearing in mind the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993, 6/ in particular section II, paragraphs 78 to 82 thereof,

Recalling that it is the responsibility of the United Nations High Commissioner for Human Rights to coordinate relevant United Nations education and public information programmes in the field of human rights,

Recalling its resolution 49/184 of 23 December 1994, by which it proclaimed the ten-year period beginning on 1 January 1995 the United Nations

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5/ See A/CONF.157/PC/42/Add.6.

6/ A/CONF.157/24 (Part I), chap. III.

Decade for Human Rights Education, welcomed the Plan of Action for the Decade, 7/ and requested the High Commissioner to coordinate the implementation of the Plan of Action,

Taking note of the report of the High Commissioner to the General Assembly, 8/ in which he stated that human rights education was essential for the encouragement of harmonious intercommunity relations, for mutual tolerance and understanding and, finally, for peace,

1. Takes note with appreciation of the report of the United Nations High Commissioner for Human Rights on the implementation of the Plan of Action for the United Nations Decade for Human Rights Education, 9/ submitted in accordance with General Assembly resolution 49/184;

2. Appeals to all Governments to contribute to the implementation of the Plan of Action, and in particular, in accordance with national conditions, to establish a national focal point (national committee) for human rights education and a resource and training centre for human rights education or, where such a centre already exists, to work towards its strengthening, and to develop and implement an action-oriented national plan for human rights education, as foreseen in the Plan of Action;

3. Requests the High Commissioner to coordinate the implementation of the Plan of Action and to carry out the tasks enumerated therein;

4. Requests the Centre for Human Rights of the Secretariat and the Commission on Human Rights, in cooperation with the existing human rights monitoring bodies, United Nations specialized agencies and programmes and other competent intergovernmental and non-governmental organizations, to support efforts by the High Commissioner in the implementation of the Plan of Action;

5. Requests the existing human rights monitoring bodies to place emphasis on the implementation by Member States of their international obligation to promote human rights education;

6. Invites all relevant specialized agencies, in particular the United Nations Educational, Scientific and Cultural Organization and the International Labour Organization, United Nations bodies, especially the United Nations Children's Fund, and other intergovernmental organizations to contribute, within their respective spheres of competence, to the implementation of the Plan of Action and to cooperate with the High Commissioner for that purpose;

7. Calls upon international, regional and national non-governmental organizations, in particular those concerned with women, labour, development and the environment, as well as other social justice groups, human rights advocates, educators, religious organizations and the media, to increase their

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7/ A/49/261/Add.1-E/1994/110/Add.1, annex.

8/ A/50/36, para. 54.

9/ A/50/698, annex.

involvement in formal and non-formal education in human rights and to cooperate with the High Commissioner and the Centre for Human Rights in implementing the Plan of Action;

8. Requests the Secretary-General to consider the possibility of establishing a voluntary fund for human rights education, with special provision for the support of the human rights education activities of non-governmental organizations, to be administered by the Centre for Human Rights;

9. Requests the Secretary-General to bring the present resolution to the attention of all members of the international community and to intergovernmental and non-governmental organizations concerned with human rights and education;

10. Decides to consider this matter at its fifty-first session under the item entitled "Human rights questions".

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/50/635/Add.2)]

50/178. Situation of human rights in Cambodia

The General Assembly,

Guided by the purposes and principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights 1/ and the International Covenants on Human Rights, 2/

Taking note of the Agreement on a Comprehensive Political Settlement of the Cambodia Conflict, 3/ signed in Paris on 23 October 1991, including part III thereof, relating to human rights,

Taking note also of Commission on Human Rights resolution 1995/55 of 3 March 1995, 4/ and recalling General Assembly resolution 49/199 of 23 December 1994 and previous relevant resolutions, including Commission on Human Rights resolution 1993/6 of 19 February 1993, 5/ in which the Commission recommended the appointment of a special representative for Cambodia, and the subsequent appointment by the Secretary-General of a special representative,

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1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

3/ See A/46/608-S/23177.

4/ See Official Records of the Economic and Social Council, 1995, Supplement No. 3 and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

5/ Ibid., 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A.

Bearing in mind the role and responsibilities of the United Nations and the international community in the process of the rehabilitation and reconstruction of Cambodia,

Recognizing that the tragic recent history of Cambodia requires special measures to assure the promotion and protection of the human rights of all people in Cambodia and the non-return to the policies and practices of the past, as stipulated in the Agreement signed in Paris on 23 October 1991,

Commending the continued operation in Cambodia of the office of the Centre for Human Rights of the Secretariat,

Welcoming the understanding reached between the Special Envoy of the Secretary-General and the Government of Cambodia in May 1995 regarding increased consultations between the Centre for Human Rights and the Government of Cambodia,

1. Requests the Secretary-General to assure the protection of the human rights of all people in Cambodia and to ensure adequate resources, from within existing United Nations resources, for the enhanced functioning of the operational presence in Cambodia of the Centre for Human Rights of the Secretariat;

2. Welcomes the report of the Secretary-General on the role of the Centre for Human Rights in assisting the Government and people of Cambodia in the promotion and protection of human rights; 6/

3. Welcomes also the continuing role of the United Nations High Commissioner for Human Rights in the promotion and protection of human rights in Cambodia;

4. Welcomes and encourages the efforts of individuals, non-governmental organizations, Governments and international organizations involved in human rights activities in Cambodia;

5. Takes note with appreciation of the most recent report submitted by the Special Representative of the Secretary-General on the situation of human rights in Cambodia, 7/ and endorses his recommendations and conclusions, including those aimed at ensuring the independence of the judiciary and the establishment of the rule of law, good governance, freedom of expression and the promotion of an effectively functioning multi-party democracy;

6. Notes that communal elections are due to be held in 1996 or early 1997 and National Assembly elections in 1998, and urges the Government of Cambodia to promote and uphold the effective functioning of multi-party democracy, including the right to form political parties, stand for election, take part freely in a representative government and to freedom of expression, in accordance with the principles set out in paragraphs 2 and 4 of annex 5 to the Agreement signed in Paris on 23 October 1991;

6/ A/50/681/Add.1.

7/ See A/50/681.

7. Requests the Special Representative, in collaboration with the office in Cambodia of the Centre for Human Rights, to continue his evaluation of the extent to which the recommendations made by the Special Representative in his report, 7/ and those contained in his previous reports, are followed up and implemented, and strongly encourages the Government of Cambodia to continue to cooperate with the Special Representative;

8. Requests the Secretary-General to provide all necessary resources, from within the regular budget of the United Nations, to enable the Special Representative to continue to fulfil his tasks expeditiously;

9. Welcomes the efforts made by the Government of Cambodia to promote and protect human rights, in particular in the essential area of creating a functioning system of justice, urges that efforts continue in this area, and also encourages the Government to improve the conditions of prisons;

10. Expresses grave concern about the atrocities that continue to be committed by the Khmer Rouge, including the taking and killing of hostages, and other deplorable incidents detailed in the reports of the Special Representative;

11. Also expresses grave concern about the serious violations of human rights as detailed by the Special Representative in his report, and calls upon the Government of Cambodia to prosecute in accordance with the due process of the law and international standards relating to human rights all those who have perpetrated human rights violations;

12. Expresses particularly grave concern at the comments made by the Special Representative concerning the reluctance of the courts to charge members of the military and other security forces for serious criminal offences, and encourages the Government of Cambodia to address this problem, which in effect places persons in authority above the principle of equality before the law;

13. Expresses grave concern at the devastating consequences and destabilizing effects of the indiscriminate use of anti-personnel landmines on Cambodian society, encourages the Government of Cambodia to continue its support and efforts for the removal of these mines, and welcomes the intention of the Government of Cambodia to ban all anti-personnel landmines;

14. Calls upon the Government of Cambodia to ensure the full observance of human rights for all persons within its jurisdiction in accordance with the International Covenants on Human Rights and other human rights instruments to which Cambodia is a party;

15. Encourages the Government of Cambodia to continue its efforts to meet its reporting obligations under international human rights instruments, drawing on the assistance of the office in Cambodia of the Centre for Human Rights;

16. Also encourages the Government of Cambodia to request the Centre for Human Rights to provide advice and technical assistance with respect to the creation of an independent national institution for the promotion and protection of human rights;

17. Further encourages the Government of Cambodia to maintain constructive dialogue and consultation with the Centre for Human Rights concerning its activities in Cambodia;

18. Commends the ongoing efforts of the office in Cambodia of the Centre for Human Rights in supporting and assisting the Government of Cambodia, as well as non-governmental organizations and others involved in the promotion and protection of human rights in cooperation with the Government of Cambodia;

19. Condemns unreservedly attacks on and threats against staff of the United Nations, non-governmental organizations and the Cambodian Government, as well as individuals, and calls upon the Government of Cambodia to investigate those attacks and threats and to prosecute those who are responsible, in accordance with the due process of the law and international standards relating to the administration of justice;

20. Notes with appreciation the use by the Secretary-General of the United Nations Trust Fund for a Human Rights Education Programme in Cambodia to finance the programme of activities of the office in Cambodia of the Centre for Human Rights as defined in resolutions of the General Assembly and the Commission on Human Rights, and invites Governments, intergovernmental and non-governmental organizations, foundations and individuals to consider contributing funds to the Trust Fund;

21. Requests the Centre for Human Rights, in cooperation with the relevant specialized agencies and development programmes, to develop and implement programmes, with the consent and cooperation of the Government of Cambodia, in the priority areas identified by the Special Representative, paying particular attention to vulnerable groups, including women, children and minorities;

22. Requests the Secretary-General to report to the General Assembly at its fifty first session on the role of the Centre for Human Rights in assisting the Government and people of Cambodia in the promotion and protection of human rights and on the recommendations made by the Special Representative on matters within his mandate;

23. Decides to continue its consideration of the situation of human rights in Cambodia at its fifty-first session.

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/50/635/Add.2)]

50/179. Strengthening of the rule of law

The General Assembly,

Recalling that, by adopting the Universal Declaration of Human Rights, 1/ Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Firmly convinced that, as stressed in the Universal Declaration of Human Rights, the rule of law is an essential factor in the protection of human rights,

Convinced that through their own national legal and judicial systems States must provide appropriate civil, criminal and administrative remedies for violations of human rights,

Recognizing the importance of the role that can be played by the Centre for Human Rights of the Secretariat in supporting national efforts to strengthen the institutions of the rule of law,

Bearing in mind that, in its resolution 48/141 of 20 December 1993, the General Assembly entrusted the United Nations High Commissioner for Human Rights with, inter alia, providing through the Centre and other appropriate institutions advisory services and technical and financial assistance in the field of human rights, enhancing international cooperation for the promotion and protection of all human rights and coordinating human rights activities throughout the United Nations system,

1/ Resolution 217 A (III).

Recalling the recommendation of the World Conference on Human Rights that a comprehensive programme be established within the United Nations and under the coordination of the Centre with a view to helping States in the task of building and strengthening adequate national structures that have a direct impact on the overall observance of human rights and the maintenance of the rule of law, 2/

Recalling also its resolution 49/194 of 23 December 1994, and taking note of Commission on Human Rights resolution 1995/54 of 3 March 1995, 3/

1. Takes note with satisfaction of the report of the Secretary-General; 4/

2. Takes note with interest of the proposals contained in the report of the Secretary-General for strengthening the programme of advisory services and technical assistance of the Centre for Human Rights of the Secretariat in order to comply fully with the recommendations of the World Conference on Human Rights concerning assistance to States in strengthening their institutions in the rule of law;

3. Praises the efforts made by the United Nations High Commissioner for Human Rights and the Centre to accomplish their ever-increasing tasks with the limited financial and personnel resources at their disposal;

4. Expresses its deep concern at the scarcity of means at the disposal of the Centre for the fulfilment of its tasks;

5. Notes that the programme of advisory services and technical assistance does not have assistance funds sufficient to provide any substantial financial assistance to national projects that have a direct impact on the realization of human rights and the maintenance of the rule of law in countries that are committed to those ends, but which face economic hardship;

6. Affirms that the High Commissioner, with the assistance of the Centre, remains the focal point for coordinating system-wide attention for human rights, democracy and the rule of law;

7. Welcomes the consultations and contacts initiated by the High Commissioner with other relevant bodies and programmes of the United Nations system aiming at the enhancement of inter-agency coordination and cooperation in providing assistance for the strengthening of the rule of law;

8. Encourages the High Commissioner to pursue these consultations, taking into account the need to explore new synergies with other organs and

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2/ A/CONF.157/24 (Part I), chap. III, sect. II, para. 69.

3/ See Official Records of the Economic and Social Council, 1995, Supplement No. 3 and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

4/ A/50/653.

agencies of the United Nations system with a view to obtaining increased financial assistance for human rights and the rule of law;

9. Requests the High Commissioner to continue to explore the possibilities of obtaining from all relevant institutions of the United Nations system, including financial institutions, acting within their mandates, technical and financial means to strengthen the capacity of the Centre to provide assistance to national projects aiming at the realization of human rights and the maintenance of the rule of law;

10. Requests the Secretary-General to submit a report to the General Assembly at its fifty-first session on the results of the contacts established in accordance with paragraph 9 above, as well as on any other developments pertaining to the implementation of the above-mentioned recommendation of the World Conference on Human Rights. 2/

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/50/635/Add.2)]

50/180. Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

The General Assembly,

Recalling its resolution 47/135 of 18 December 1992, by which it adopted the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, as well as its resolution 49/192 of 23 December 1994,

Conscious of the need effectively to promote and protect the rights of persons belonging to minorities, as set out in the Declaration,

Taking note of Commission on Human Rights resolution 1995/24 of 3 March 1995 on the rights of persons belonging to national or ethnic, religious and linguistic minorities, 1/ in which the Commission, inter alia, decided to authorize the Subcommission on Prevention of Discrimination and Protection of Minorities to establish, initially for a three-year period, an inter-sessional working group consisting of five of its members, to meet each year for five working days in order to promote the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Taking note also of Economic and Social Council resolution 1995/31 of 25 July 1995, in which the Council authorized the establishment of the working group,

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1/ See Official Records of the Economic and Social Council, 1995, Supplement No. 3 and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

Noting that the working group held its first session from 28 August to 1 September 1995, and that its report will be made available to the Commission on Human Rights,

Aware of the provisions of article 27 of the International Covenant on Civil and Political Rights 2/ concerning the rights of persons belonging to ethnic, religious or linguistic minorities,

Acknowledging that the United Nations has an increasingly important role to play regarding the protection of minorities by, inter alia, taking due account of and giving effect to the Declaration,

Concerned by the growing frequency and severity of disputes and conflicts concerning minorities in many countries, and their often tragic consequences,

Affirming that effective measures and the creation of favourable conditions for the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities, ensuring effective non-discrimination and equality for all, contribute to the prevention and peaceful solution of human rights problems and situations involving minorities,

Considering that the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities contribute to political and social stability and peace and enrich the cultural heritage of society as a whole of the States in which such persons live,

Reaffirming the obligation of States to ensure that persons belonging to minorities may exercise fully and effectively all human rights and fundamental freedoms without any discrimination and in full equality before the law in accordance with the Declaration,

Noting the positive initiatives of many countries as well as regional organizations to protect minorities and promote mutual understanding,

Having considered the report of the Secretary-General, 3/

1. Takes note with appreciation of the report of the Secretary-General;

2. Urges States and the international community to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities, as set out in the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, including through the facilitation of their full participation in all aspects of the political, economic, social, religious and cultural life of society and in the economic progress and development in their country;

2/ See resolution 2200 A (XXI), annex.

3/ A/50/514.

3. Urges States to take, as appropriate, all the necessary constitutional, legislative, administrative and other measures to promote and give effect to the principles contained in the Declaration;

4. Appeals to States to make bilateral and multilateral efforts, as appropriate, in order to protect the rights of persons belonging to national or ethnic, religious and linguistic minorities in their countries, in accordance with the Declaration;

5. Recognizes that respect for human rights and the promotion of understanding and tolerance by Governments as well as between and among minorities is central to the protection and promotion of the rights of persons belonging to minorities;

6. Calls upon the Secretary-General to make available, at the request of Governments concerned, qualified expertise on minority issues, including the prevention and resolution of disputes, to assist in existing or potential situations involving minorities;

7. Requests the Secretary-General, in the implementation of the present resolution, to provide human and financial resources for such advisory services and technical assistance by the Centre for Human Rights of the Secretariat, within existing resources;

8. Calls upon the United Nations High Commissioner for Human Rights to promote, within his mandate, the implementation of the Declaration and to continue to engage in a dialogue with Governments concerned for that purpose;

9. Urges all treaty bodies and special representatives, special rapporteurs and working groups of the Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities to give due regard, within their respective mandates, to the promotion and protection of the rights of persons belonging to minorities;

10. Invites States, interested intergovernmental and non-governmental organizations, special representatives, special rapporteurs and working groups of the Commission on Human Rights to continue to submit, as appropriate, contributions as to how they promote and give effect to the Declaration;

11. Invites the Secretary-General to continue the dissemination of information on the Declaration and the promotion of understanding thereof, including through activities within the framework of the United Nations Decade for Human Rights Education;

12. Calls upon States and the Secretary-General to give due regard to the Declaration in their respective training programmes for officials;

13. Encourages intergovernmental as well as non-governmental organizations to continue to contribute to the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities;

14. Requests the Secretary-General to report to the General Assembly at its fifty-first session on the implementation of the present resolution under the item entitled "Human rights questions".

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[on the report of the Third Committee (A/50/635/Add.2)]

50/181. Human rights in the administration of justice

The General Assembly,

Recalling its resolution 48/137 of 20 December 1993, and taking note of Commission on Human Rights resolution 1995/41 of 3 March 1995 on human rights in the administration of justice, in particular of children and juveniles in detention, 1/

Bearing in mind the principles embodied in articles 3, 5, 9, 10 and 11 of the Universal Declaration of Human Rights 2/ and the relevant provisions of the International Covenant on Civil and Political Rights and the Optional Protocols thereto, 3/ in particular article 6 of the Covenant, which explicitly states that no one shall be arbitrarily deprived of his life and prohibits the imposition of the death penalty for crimes committed by persons below eighteen years of age,

Bearing in mind also the relevant principles embodied in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 4/ the International Convention on the Elimination of All Forms

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1/ See Official Records of the Economic and Social Council, 1995, Supplement No. 3 and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

2/ Resolution 217 A (III).

3/ See resolution 2200 A (XXI), annex, and resolution 44/128, annex.

4/ Resolution 39/46, annex.

of Racial Discrimination 5/ and the Convention on the Rights of the Child, 6/

Mindful of the Convention on the Elimination of All Forms of Discrimination against Women, 7/ in particular of the obligation of States to treat men and women equally in all stages of procedures in courts and tribunals,

Calling attention to the numerous international standards in the field of the administration of justice,

Recognizing that the rule of law and the proper administration of justice are important elements for sustainable economic and social development and play a central role in the promotion and protection of human rights,

Welcoming the important work of the Commission on Human Rights and of the Subcommission on Prevention of Discrimination and Protection of Minorities in the field of human rights in the administration of justice, in particular regarding the independence of the judiciary, the independence of judges and lawyers, the right to a fair trial, habeas corpus, human rights and states of emergency, the question of arbitrary detention, the human rights of juveniles in detention, the privatization of prisons and the question of the impunity of perpetrators of violations of human rights,

Welcoming also Commission on Human Rights resolution 1995/36 of 3 March 1995 on the independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers, 1/

Welcoming further the important work of the Commission on Crime Prevention and Criminal Justice in the field of human rights in the administration of justice, as reflected, inter alia, in Economic and Social Council resolution 1995/13 on United Nations standards and norms in crime prevention and criminal justice and resolution 1995/15 on technical cooperation and interregional advisory services in crime prevention and criminal justice, of 24 July 1995,

Emphasizing the importance of coordinating the activities in this field carried out under the responsibility of the Commission on Human Rights with those under the responsibility of the Commission on Crime Prevention and Criminal Justice,

Noting that many human rights violations in the administration of justice are specifically or primarily directed against women and that the identification and reporting of those violations demand special vigilance,

Aware of the specific situation of children and juveniles in detention and their special needs while deprived of their liberty, in particular their vulnerability to various forms of abuse, injustice and humiliation,

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5/ Resolution 2106 A (XX), annex.

6/ Resolution 44/25, annex.

7/ Resolution 34/180, annex.

1. Reaffirms the importance of the full and effective implementation of all United Nations standards on human rights in the administration of justice;

2. Acknowledges that the administration of justice, including law enforcement and prosecutorial agencies and, especially, an independent judiciary and legal profession in full conformity with applicable standards contained in international human rights instruments, are essential to the full and non-discriminatory realization of human rights and indispensable to democratization processes and sustainable development;

3. Once again reiterates its call to all Member States to spare no effort in providing for effective legislative and other mechanisms and procedures, as well as adequate resources, to ensure full implementation of those standards;

4. Appeals to Governments to include in their national development plans the administration of justice as an integral part of the development process and to allocate adequate resources for the provision of legal-aid services with a view to the promotion and protection of human rights;

5. Invites Governments to provide training in human rights in the administration of justice, including juvenile justice, to all judges, lawyers, prosecutors, social workers and other professionals concerned, including police and immigration officers;

6. Encourages States to make use of technical assistance offered by the United Nations programmes of advisory services and technical assistance, in order to strengthen national capacities and infrastructures in the field of the administration of justice;

7. Urges the Secretary-General to consider favourably requests by States for assistance in the field of the administration of justice and to strengthen system-wide coordination in this field, in particular between the United Nations programme of advisory services and technical assistance in the field of human rights and the technical cooperation and advisory services of the United Nations crime prevention and criminal justice programme;

8. Invites the international community to respond favourably to requests for financial and technical assistance for the enhancement and strengthening of the administration of justice, with a view to ensuring the promotion and protection of human rights in the administration of justice;

9. Calls upon special rapporteurs, special representatives and working groups of the Commission on Human Rights to continue to give special attention to questions relating to the effective protection of human rights in the administration of justice and to provide, wherever appropriate, specific recommendations in this regard, including proposals for concrete measures of advisory services and technical assistance;

10. Acknowledges the important role of the regional commissions, specialized agencies and United Nations institutes in the area of human rights and crime prevention and criminal justice, and of other organizations of the United Nations system, as well as intergovernmental and non-governmental organizations, including national professional associations concerned with promoting United Nations standards in this field,

11. Invites the Commission on Human Rights and the Commission on Crime Prevention and Criminal Justice to coordinate closely their activities relating to the administration of justice;

12. Decides to consider the question of human rights in the administration of justice at its fifty-second session under the item entitled "Human rights questions".

99th plenary meeting
22 December 1995

UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/50/182
6 March 1996

Fiftieth session
Agenda item 112 (b)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/50/635/Add.2)]

50/182. Human rights and mass exoduses

The General Assembly,

Deeply disturbed by the escalating scale and magnitude of exoduses of refugees and displacements of population in many regions of the world and by the human suffering of millions of refugees and displaced persons,

Recalling its previous relevant resolutions, as well as those of the Commission on Human Rights, in particular Commission resolution 1995/88 of 8 March 1995, 1/ and the conclusions of the World Conference on Human Rights, 2/ which recognized that gross violations of human rights, including in armed conflicts, are among the multiple and complex factors leading to displacement of people, and the need for a comprehensive approach by the international community to address root causes and effects of movements of refugees and other displaced persons and the strengthening of emergency preparedness and response mechanisms,

Conscious of the fact that mass exoduses of populations are caused by multiple and complex factors, such as human rights violations, political, ethnic and economic conflicts, famine, insecurity, violence, poverty and environmental degradation, which indicate that any approach to early warning requires an intersectoral and multidisciplinary approach,

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1/ See Official Records of the Economic and Social Council, 1995, Supplement No. 3 and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

2/ See A/CONF.157/24 (Part I), chap. III.

Noting that the Secretary-General, in his report entitled "An Agenda for Peace", 3/ identifies the protection of human rights and the promotion of economic well-being as important elements of peace, security and development,

Noting the continuation of the inter-agency consultations on early warning regarding new mass flows of refugees and displaced persons,

Recognizing the important aspects of complementarity between the system for the protection of human rights and humanitarian action, and that humanitarian agencies make an important contribution to the achievement of human rights,

Stressing the need for strengthening international cooperation aimed at averting new massive flows of refugees while providing durable solutions to actual refugee situations,

Recognizing that the human rights machinery of the United Nations, including the mechanisms of the Commission on Human Rights and the human rights treaty bodies, has important capabilities to address human rights violations that cause movements of refugees and displaced persons or prevent durable solutions to their plight,

Recognizing also that women and children constitute approximately 80 per cent of most refugee populations and that, in addition to the problems and needs they share with all refugees, women and girls in such circumstances are vulnerable to gender-based discrimination and gender-specific violence and exploitation,

Reiterating that development and rehabilitation assistance is essential in addressing some of the causes of mass exoduses and also in the context of the development of prevention strategies,

Welcoming the continuing efforts of the United Nations High Commissioner for Refugees to meet the protection and assistance needs of refugees and other persons of concern to her Office worldwide,

1. Takes note of the report of the Secretary-General; 4/

2. Recalls with satisfaction its endorsement, in its resolution 41/70 of 3 December 1986, of the call upon all States to promote human rights and fundamental freedoms and to refrain from denying these to individuals in their population because of nationality, ethnicity, race, religion or language;

3. Strongly deplores ethnic and other forms of intolerance as one of the major causes of forced migratory movements, and urges States to take all necessary steps to ensure respect for human rights, especially the rights of persons belonging to minorities;

4. Invites again all Governments and intergovernmental, humanitarian and non-governmental organizations concerned to intensify their cooperation and assistance in worldwide efforts to address the serious problems resulting

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3/ A/47/277-S/24111.

4/ A/50/566.

from mass exoduses of refugees and displaced persons and the causes of such exoduses;

5. Encourages States that have not already done so to consider acceding to the 1951 Convention 5/ and the 1967 Protocol 6/ relating to the Status of Refugees and to other relevant regional refugee instruments, as applicable, and relevant international human rights instruments;

6. Notes with appreciation the contribution made by the United Nations High Commissioner for Human Rights and the Centre for Human Rights of the Secretariat to the development of the humanitarian early-warning system of the Department of Humanitarian Affairs of the Secretariat, and takes note of ongoing consultations in this regard;

7. Invites the special rapporteurs, special representatives and working groups of the Commission on Human Rights and the United Nations human rights treaty bodies, acting within their mandates, to continue seeking information, where appropriate, on problems resulting in mass exoduses of populations or impeding their voluntary return home and, where appropriate, to include such information, together with recommendations thereon, in their reports and to bring such information to the attention of the United Nations High Commissioner for Human Rights, for appropriate action within his mandate, in consultation with the United Nations High Commissioner for Refugees;

8. Requests all United Nations bodies, including the human rights treaty bodies, the specialized agencies and governmental, intergovernmental and non-governmental organizations, to cooperate fully with all mechanisms of the Commission and, in particular, to provide them with all relevant information in their possession on the human rights situations creating or affecting refugees and displaced persons;

9. Requests the United Nations High Commissioner for Human Rights, in accordance with his mandate, as set out in General Assembly resolution 48/141 of 20 December 1993, and in cooperation with the United Nations High Commissioner for Refugees, to pay attention to situations that cause or threaten to cause mass exoduses and to address effectively such situations through emergency preparedness and response mechanisms, including information-sharing with United Nations early-warning mechanisms, and the provision of technical advice, expertise and cooperation;

10. Invites the Secretary-General to attach high priority and to make available the necessary resources within the regular budget of the United Nations for the consolidation and strengthening of emergency preparedness and response mechanisms, including early-warning activities in the humanitarian area, for the purpose of ensuring, inter alia, that effective action is taken to identify all multiple and complex factors, including human rights violations, that contribute to mass outflows of persons;

11. Requests the Secretary-General to prepare and submit to the General Assembly at its fifty-second session a report containing detailed information on the programmatic, institutional, administrative, financial and

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5/ United Nations, Treaty Series, vol. 189, No. 2545.

6/ Ibid., vol. 606, No. 8791.

managerial efforts instituted to enhance the capacity of the United Nations to avert new flows of refugees and to tackle the root causes of such outflows;

12. Decides to continue its consideration of this question at its fifty-second session.

99th plenary meeting
22 December 1995

UNITED NATIONS **A**

General Assembly

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GENERAL

A/RES/50/183
6 March 1996

Fiftieth session
Agenda item 112 (b)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/50/635/Add.2)]

50/183. Elimination of all forms of religious intolerance

The General Assembly,

Recalling that all States have pledged themselves, under the Charter of the United Nations, to promote and encourage universal respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recognizing that these rights derive from the inherent dignity of the human person,

Emphasizing that the right to freedom of thought, conscience, religion and belief is far-reaching and profound and that it encompasses freedom of thought on all matters, personal conviction and the commitment to religion or belief, whether manifested individually or in community with others,

Recalling article 18 of the International Covenant on Civil and Political Rights, 1/

Reaffirming that discrimination against human beings on the grounds of religion or belief constitutes an affront to human dignity and a disavowal of the principles of the Charter,

Reaffirming its resolution 36/55 of 25 November 1981, by which it proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

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1/ See resolution 2200 A (XXI), annex.

Reaffirming the call of the World Conference on Human Rights for all Governments to take all appropriate measures in compliance with their international obligations and with due regard to their respective legal systems to counter intolerance and related violence based on religion or belief, including practices of discrimination against women and the desecration of religious sites, recognizing that every individual has the right to freedom of thought, conscience, expression and religion, 2/

Recalling that the World Conference on Human Rights recognized that the process of promoting and protecting human rights should be conducted in conformity with the purposes and principles of the Charter and international law, 3/

Calling upon all Governments to cooperate with the Special Rapporteur of the Commission on Human Rights on religious intolerance to enable him to carry out his mandate fully,

Recognizing that it is desirable to enhance the promotional and public information activities of the United Nations in matters relating to freedom of religion or belief and that both Governments and non-governmental organizations have an important role to play in this domain,

Emphasizing that non-governmental organizations and religious bodies and groups at every level have an important role to play in the promotion of tolerance and the protection of freedom of religion or belief,

Conscious of the importance of education in ensuring tolerance of religion and belief,

Welcoming the inclusion of events relating to tolerance and religious diversity among the activities undertaken during the United Nations Year for Tolerance,

Alarmed that serious instances of intolerance and discrimination on the grounds of religion or belief, including acts of violence, intimidation and coercion motivated by religious extremism, occur in many parts of the world and threaten the enjoyment of human rights and fundamental freedoms,

Deeply concerned that, as reported by the Special Rapporteur, the rights violated on religious grounds include the right to life, the right to physical integrity and to liberty and security of person, the right to freedom of expression, the right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment, and the right not to be arbitrarily arrested or detained,

Believing that further efforts are therefore required to promote and protect the right to freedom of thought, conscience, religion and belief and to eliminate all forms of hatred, intolerance and discrimination based on religion or belief,

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2/ See A/CONF.157/24 (Part I), chap. III, sect. II, para. 22.

3/ Ibid., sect. I, para. 7.

1. Reaffirms that freedom of thought, conscience, religion and belief is a human right derived from the inherent dignity of the human person and guaranteed to all without discrimination;

2. Urges States to ensure that their constitutional and legal systems provide adequate and effective guarantees of freedom of thought, conscience, religion and belief to all without discrimination, including the provision of effective remedies in cases where the right to freedom of religion or belief is violated;

3. Also urges States to ensure, in particular, that no one within their jurisdiction is, because of their religion or belief, deprived of the right to life or the right to liberty and security of person, or is subjected to torture or arbitrary arrest or detention;

4. Condemns all instances of hatred, intolerance and acts of violence, intimidation and coercion motivated by religious extremism and intolerance of religion or belief;

5. Urges States, in conformity with international standards of human rights, to take all necessary action to prevent such instances, to take all appropriate measures to combat hatred, intolerance and acts of violence, intimidation and coercion motivated by religious extremism and to encourage understanding, tolerance and respect in matters relating to freedom of religion or belief;

6. Recognizes that legislation alone is not enough to prevent violations of human rights, including the right to freedom of religion or belief;

7. Emphasizes that, as underlined by the Human Rights Committee, restrictions on the freedom to manifest religion or belief are permitted only if limitations are prescribed by law, are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others, and are applied in a manner that does not vitiate the right to freedom of thought, conscience and religion;

8. Urges States to ensure that, in the course of their official duties, members of law enforcement bodies, civil servants, educators and other public officials respect different religions and beliefs and do not discriminate against persons professing other religions or beliefs;

9. Calls upon all States to recognize, as provided in the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, the right of all persons to worship or assemble in connection with a religion or belief, and to establish and maintain places for those purposes;

10. Expresses its grave concern at any attack upon religious places, sites and shrines, and calls upon all States, in accordance with their national legislation and in conformity with international human rights standards, to exert utmost efforts to ensure that such places, sites and shrines are fully respected and protected;

11. Recognizes that the exercise of tolerance and non-discrimination by persons and groups is necessary for the full realization of the aims of the Declaration;

12. Considers it desirable to enhance the promotional and public information activities of the United Nations in matters relating to freedom of religion or belief and to ensure that appropriate measures are taken to this end, including the dissemination, as a matter of high priority, of the text of the Declaration by United Nations information centres, as well as by other interested bodies;

13. Encourages the continued efforts on the part of the Special Rapporteur appointed to examine incidents and governmental actions in all parts of the world that are incompatible with the provisions of the Declaration and to recommend remedial measures as appropriate;

14. Invites the Special Rapporteur, within the terms of his mandate and in the context of recommending remedial measures, to take into account the experiences of various States as to which measures are most effective in promoting freedom of religion and belief and countering all forms of intolerance;

15. Encourages Governments to give serious consideration to inviting the Special Rapporteur to visit their countries so as to enable him to fulfil his mandate even more effectively;

16. Recommends that the promotion and protection of the right to freedom of thought, conscience, religion and belief be given appropriate priority in the work of the United Nations programme of advisory services in the field of human rights, including with regard to the drafting of legal texts in conformity with international instruments on human rights and taking into account the provisions of the Declaration;

17. Welcomes and encourages the efforts of non-governmental organizations to promote the implementation of the Declaration, and invites them to consider what further contribution they could make to its implementation and dissemination in all parts of the world;

18. Requests the Commission on Human Rights to continue its consideration of measures to implement the Declaration;

19. Requests the Special Rapporteur of the Commission on Human Rights to submit an interim report to the General Assembly at its fifty-first session;

20. Requests the Secretary-General to ensure that the Special Rapporteur receives the necessary staffing and financial and material resources to enable him to discharge his mandate;

21. Decides to consider the question of the elimination of all forms of religious intolerance at its fifty-first session under the item entitled "Human rights questions".

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22 December 1995

UNITED NATIONS **A**

General Assembly

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6 March 1996

Fiftieth session
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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/50/635/Add.2)]

50/184. Right to development

The General Assembly,

Reaffirming the Declaration on the Right to Development, 1/ which it proclaimed at its forty-first session,

Recalling its resolutions 45/97 of 14 December 1990, 46/123 of 17 December 1991, 47/123 of 18 December 1992, 48/130 of 20 December 1993 and 49/183 of 23 December 1994 and those of the Commission on Human Rights relating to the right to development, and taking note of Commission resolution 1995/17 of 24 February 1995, 2/

Recalling also the report on the Global Consultation on the Realization of the Right to Development as a Human Right, 3/

1/ Resolution 41/128, annex.

2/ See Official Records of the Economic and Social Council, 1995, Supplement No. 3 and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

3/ E/CN.4/1990/9/Rev.1.

Recalling further the principles proclaimed in the Rio Declaration on Environment and Development of 14 June 1992, 4/

Mindful that the Commission on Human Rights continues to consider this matter, which is directed towards the implementation and further enhancement of the right to development,

Noting the need for coordination and cooperation throughout the United Nations system for a more effective promotion of the right to development,

Recognizing that the United Nations High Commissioner for Human Rights and the Centre for Human Rights of the Secretariat have important roles to play in the promotion and protection of the right to development,

Reaffirming the need for action at the national and international levels by all States to realize all human rights, and the need for relevant evaluation mechanisms to ensure the promotion, encouragement and reinforcement of the principles contained in the Declaration on the Right to Development,

Welcoming the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993, 5/ which reaffirms the right to development as a universal and inalienable right and an integral part of all fundamental human rights and reaffirms that the human person is the central subject of development,

Recalling that the Vienna Declaration and Programme of Action examined the relationship between democracy, development and human rights, and recognizing the importance of creating a favourable environment in which everyone may enjoy their human rights as set out in the Vienna Declaration and Programme of Action,

Recalling also that lasting progress towards the implementation of the right to development requires effective development policies at the national level, as well as equitable economic relations and a favourable economic environment at the international level,

Recalling further that, in order to promote development, equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights, and recognizing that all human rights are universal, indivisible, interdependent and interrelated and that the universality, objectivity, impartiality and non-selectivity of the consideration of human rights issues must be ensured,

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4/ See Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992 (A/CONF.151/26/Rev.1 (Vol. I and Vol. I/Corr.1, Vol. II, Vol. III and Vol. III/Corr.1)) (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: Resolutions Adopted by the Conference, resolution 1, annex I.

5/ A/CONF.157/24 (Part I), chap. III.

Noting that aspects of the Programme of Action of the International Conference on Population and Development, 6/ the Copenhagen Declaration on Social Development and the Programme of Action of the World Summit for Social Development, adopted by the World Summit on 12 March 1995, 7/ and the Beijing Declaration and the Platform for Action, adopted by the Fourth World Conference on Women on 15 September 1995, 8/ are relevant to the universal realization of the right to development,

Welcoming the convening of the United Nations Conference on Human Settlements (Habitat II) in 1996, and affirming that this Conference constitutes another important international step towards the realization of the right to development, within the context of promoting and protecting all human rights,

Taking note of the work of the Working Group on the Right to Development during its fourth 9/ and fifth 10/ sessions, held at Geneva from 15 to 26 May 1995 and from 27 September to 6 October 1995,

Having considered the note by the Secretary-General, 11/ prepared pursuant to General Assembly resolution 49/183,

1. Reaffirms the importance of the right to development for every human person and all peoples in all countries, in particular the developing countries, as an integral part of fundamental human rights;

2. Takes note of the note by the Secretary-General ;

3. Requests the Secretary-General to submit to the Commission on Human Rights at its fifty-second session a report on the implementation of Commission resolution 1995/17;

4. Calls upon the Commission on Human Rights to consider carefully the reports of the Working Group on the Right to Development, to assess whether the Working Group has been able to complete its mandate and to consider thoroughly the necessity to reconvene the Working Group;

5. Requests the Secretary-General to continue coordination of the various activities with regard to the implementation of the Declaration on the Right to Development;

6/ Report of the International Conference on Population and Development, Cairo, 5-13 September 1994 (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

7/ A/CONF.166/9, chap. I, resolution 1, annexes I and II.

8/ A/CONF.177/20, chap. I, resolution 1, annexes I and II.

9/ See E/CN.4/1996/10.

10/ See E/CN.4/1996/24.

11/ A/50/729.

6. Also requests the Secretary-General to ask the Centre for Human Rights of the Secretariat to provide a programmatic follow-up on the implementation of the Declaration on the Right to Development, as part of the efforts to implement the Vienna Declaration and Programme of Action;

7. Requests the United Nations High Commissioner for Human Rights, within his mandate, to continue to take steps for the promotion and protection of the right to development by, inter alia, working in conjunction with the Centre for Human Rights and drawing on the expertise of the funds, programmes and specialized agencies of the United Nations system related to the field of development;

8. Supports the current initiatives of the United Nations High Commissioner for Human Rights, within his mandate, to consult with all relevant bodies, funds, programmes and specialized agencies of the United Nations system on how they may promote the right to development;

9. Invites the regional commissions and regional intergovernmental organizations to consider how they may contribute to the realization of the right to development, including through convening meetings of governmental experts and representative non-governmental and grass-roots organizations for the purpose of seeking arrangements or agreements for the implementation of the Declaration on the Right to Development through international cooperation;

10. Requests the Secretary-General to inform the Commission on Human Rights at its fifty-second session and the General Assembly at its fifty-first session of the activities of the organizations, funds, programmes and specialized agencies of the United Nations system for the implementation of the Declaration on the Right to Development;

11. Calls upon the Commission on Human Rights to continue to make proposals to the General Assembly, through the Economic and Social Council, on the future course of action on the question, in particular on practical measures for the implementation and enhancement of the Declaration on the Right to Development, taking into account the conclusions and recommendations of the Global Consultation on the Realization of the Right to Development as a Human Right and the reports of the Working Group on the Right to Development;

12. Reiterates its commitment to implementing the results of the World Conference on Human Rights, which reaffirm that all human rights are universal, indivisible, interdependent and interrelated and that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing;

13. Calls upon all States to address, within the declarations and programmes of action adopted by the relevant international conferences convened by the United Nations, the elements for the promotion and protection of the principles of the right to development, as set out in the Declaration on the Right to Development;

14. Decides to consider this question at its fifty-first session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

99th plenary meeting
22 December 1995

UNITED NATIONS **A**

General Assembly

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6 March 1996

Fiftieth session
Agenda item 112 (b)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/50/635/Add.2)]

50/185. Strengthening the role of the United Nations in enhancing the effectiveness of the principle of periodic and genuine elections and the promotion of democratization

The General Assembly,

Recalling its previous resolutions on the subject, especially resolutions 48/131 of 20 December 1993 and 49/190 of 23 December 1994,

Recalling also the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993, 1/ especially the recognition therein that assistance provided upon the request of Governments for the conduct of free and fair elections, including assistance in the human rights aspects of elections and public information about elections, is of particular importance in the strengthening and building of institutions relating to human rights and the strengthening of a pluralistic civil society, and that special emphasis should be given to measures that assist in achieving those goals, 2/

Reaffirming that electoral assistance and support for the promotion of democratization are provided only at the specific request of the Member State concerned,

Recognizing the usefulness of a comprehensive and balanced approach in the activities carried out by the United Nations in this field in order to

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1/ A/CONF.157/24 (Part I), chap. III.

2/ Ibid., sect. II, para. 67.

contribute to the strengthening of both democracy and human rights within the country concerned,

Welcoming the support provided by States to the electoral assistance activities of the United Nations, inter alia, through the provision of experts and electoral observers, as well as through contributions to the United Nations Trust Fund for Electoral Observation,

Having considered the report of the Secretary-General on enhancing the effectiveness of the principle of periodic and genuine elections, 3/

Noting the continuing high level and evolving nature of requests for electoral assistance by Member States,

1. Takes note of the report of the Secretary-General on United Nations activities aimed at enhancing the effectiveness of the principle of periodic and genuine elections; 3/

2. Commends the electoral assistance provided to Member States at their request by the United Nations, requests that such assistance continue on a case-by-case basis in accordance with the guidelines on electoral assistance, recognizing that the fundamental responsibility of organizing free and fair elections lies with Governments, and also requests the Electoral Assistance Division of the Department of Political Affairs of the Secretariat to continue to inform Member States on a regular basis about the requests received, responses given to those requests and the nature of the assistance provided;

3. Requests that the United Nations continue its efforts to ensure, before undertaking to provide electoral assistance to a requesting State, that there is adequate time to organize and carry out an effective mission for providing such assistance, that conditions exist to allow a free and fair election and that provisions can be made for adequate and comprehensive reporting of the results of the mission;

4. Commends the steps taken by the United Nations to ensure the continuation and consolidation of the democratization process in certain Member States requesting assistance, including the provision of assistance before and after elections have taken place and needs-assessment missions aimed at recommending programmes which might contribute to the consolidating of the democratization process, and requests that such efforts be strengthened;

5. Recommends that the Electoral Assistance Division provide post-election assistance, as appropriate, to requesting States and electoral institutions, in order to contribute to the stability and continuity of their electoral processes, as provided for in the report of the Secretary-General, and that it study, in cooperation with relevant United Nations offices, ways of defining more clearly the activities related to democratic consolidation which the United Nations might usefully undertake in assisting the efforts of interested States in this regard;

3/ A/50/736.

6. Requests the Secretary-General to take further steps to support States which request assistance by, inter alia, enabling the United Nations High Commissioner for Human Rights, in accordance with his mandate and through the Centre for Human Rights of the Secretariat, to support democratization activities related to human rights concerns, including human rights training and education, assistance for human rights-related legislative reform, strengthening and reform of the judiciary, assistance to national human rights institutions and advisory services on treaty accession, reporting and international obligations as related to human rights;

7. Commends the programmes of assistance carried out by the United Nations Development Programme for civil service reform and for governance, especially those for strengthening participation and linkages between concerned sectors of society and Governments;

8. Recalls the establishment by the Secretary-General of the United Nations Trust Fund for Electoral Observation, and calls upon Member States to consider contributing to the Fund;

9. Stresses the importance of coordination within the United Nations system, including cooperation with the Centre for Human Rights, the Department for Development Support and Management Services of the Secretariat and the United Nations Development Programme, which provide advisory services and technical assistance to requesting Member States, and encourages the Electoral Assistance Division to strengthen its collaboration with the Centre, including through an exchange of personnel when appropriate, and with the Department and the Programme and to continue to inform them of requests submitted in the area of electoral assistance;

10. Notes with appreciation additional efforts being made to enhance cooperation with other international, governmental and non-governmental organizations in order to facilitate more comprehensive and need-specific responses to requests for electoral assistance;

11. Requests the Secretary-General to provide the Electoral Assistance Division with adequate human and financial resources, under the regular budget of the Organization and within existing resources, to allow it to carry out its mandate, and to continue to ensure that the Centre for Human Rights is able to respond, within its mandate and in close coordination with the Electoral Assistance Division, to the increasing number of requests from Member States for advisory services;

12. Notes the evolution in the nature of requests for assistance and the growing need for specific types of expert assistance aimed at supporting and strengthening the existing capability of the requesting Government, in particular through enhancing the capacity of electoral institutions;

13. Recommends that the Secretary-General consider ways to continue to improve coordination and to strengthen further the efforts of the Electoral Assistance Division, the Centre for Human Rights and the United Nations system in general to respond to its increased and evolving responsibilities and enlarged mandate in the field of electoral assistance and democratization as reflected in the present resolution, and to include his recommendations in this regard in his report to the General Assembly at its fifty-second session;

14. Requests the Secretary-General to report to the General Assembly at its fifty-second session on the implementation of resolution 49/190 and the present resolution, in particular on the status of requests from Member States for electoral assistance and verification, and on his efforts to enhance the Organization's support of the democratization process in Member States.

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22 December 1995

UNITED NATIONS **A**

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/50/635/Add.2)]

50/186. Human rights and terrorism

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, 1/ the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations 2/ and the International Covenants on Human Rights, 3/

Bearing in mind the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations, 4/

Taking into account the fact that acts of terrorism in all its forms and manifestations aimed at the destruction of human rights have continued despite national and international efforts,

Bearing in mind that the most essential and basic human right is the right to life,

Bearing in mind also that terrorism creates an environment that destroys the freedom from fear of the people,

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1/ Resolution 217 A (III).

2/ Resolution 2625 (XXV), annex.

3/ Resolution 2200 A (XXI), annex.

4/ See resolution 50/6.

Recalling the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993, 5/

Recalling also its resolutions 48/122 of 20 December 1993 and 49/185 of 23 December 1994,

Taking note of Commission on Human Rights resolution 1995/43 of 3 March 1995, 6/

Reiterating that all States have an obligation to promote and protect human rights and fundamental freedoms, and also that every individual should strive to secure their universal and effective recognition and observance,

Seriously concerned at the gross violations of human rights perpetrated by terrorist groups,

Profoundly deploring the increasing number of innocent persons, including women, children and the elderly, killed, massacred and maimed by terrorists in indiscriminate and random acts of violence and terror, which cannot be justified under any circumstances,

Noting with great concern the growing connection between the terrorist groups and other criminal organizations engaged in the illegal traffic in arms and drugs at the national and international levels, as well as the consequent commission of serious crimes such as murder, extortion, kidnapping, assault, taking of hostages and robbery,

Mindful of the need to protect human rights of and guarantees for the individual in accordance with the relevant international human rights principles and instruments, particularly the right to life,

Reaffirming that all measures to counter terrorism must be in strict conformity with international human rights standards,

1. Expresses its solidarity with the victims of terrorism;

2. Reiterates its unequivocal condemnation of the acts, methods and practices of terrorism as activities aimed at the destruction of human rights, fundamental freedoms and democracy, threatening the territorial integrity and security of States, destabilizing legitimately constituted Governments, undermining pluralistic civil society and having adverse consequences on the economic and social development of States;

3. Calls upon States to take all necessary and effective measures in accordance with international standards of human rights to prevent, combat and eliminate all acts of terrorism wherever and by whomever committed;

4. Urges the international community to enhance cooperation at regional and international levels in the fight against terrorism in accordance

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5/ A/CONF.157/24 (Part I), chap. III.

6/ See Official Records of the Economic and Social Council, 1995, Supplement No. 3 and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

with relevant international instruments, including those relating to human rights, with the aim of its eradication;

5. Condemns incitement of ethnic hatred, violence and terrorism;

6. Requests the Secretary-General to continue to seek the views of Member States on the possible establishment of a United Nations voluntary fund for victims of terrorism, as well as ways and means to rehabilitate the victims of terrorism and to reintegrate them into society, and to submit to the General Assembly at its fifty-second session, for its consideration, a report containing comments made by Member States on the subject;

7. Also requests the Secretary-General to transmit the text of the present resolution to all Member States and to competent specialized agencies and intergovernmental organizations for their consideration;

8. Encourages special rapporteurs, special representatives and working groups of the Commission on Human Rights, as well as treaty bodies, to pay appropriate attention, within their mandates, to the consequences of the acts, methods and practices of terrorist groups;

9. Decides to consider this question at its fifty-second session under the item entitled "Human rights questions".

99th plenary meeting
22 December 1995

UNITED NATIONS **A**

General Assembly

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6 March 1996

Fiftieth session
Agenda item 112 (b)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/50/635/Add.2)]

50/187. Strengthening of the Office of the United Nations High Commissioner for Human Rights/Centre for Human Rights

The General Assembly,

Recalling its resolutions 44/135 of 15 December 1989, 45/180 of 21 December 1990, 46/111 and 46/118 of 17 December 1991, 47/127 of 18 December 1992, 48/129 and 48/141 of 20 December 1993 and 49/195 of 23 December 1994, and bearing in mind all relevant resolutions of the Economic and Social Council and the Commission on Human Rights,

Considering that the promotion of universal respect for and observance of human rights and fundamental freedoms is one of the basic purposes of the United Nations enshrined in the Charter of the United Nations and a priority activity of the Organization,

Taking into account the fact that in the Vienna Declaration and Programme of Action, the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, concerned by the growing disparity between the activities of the Centre for Human Rights of the Secretariat and the human, financial and other resources available to carry them out, and bearing in mind the resources needed for other important United Nations programmes, requested the Secretary-General and the General Assembly to take immediate steps to increase substantially the resources for the human rights programme, from within the existing and future regular budgets of the United Nations, and to take urgent steps to seek increased extrabudgetary resources, 1/

1/ See A/CONF.157/24 (Part I), chap. III, sect. II, para. 9.

Noting that in the Vienna Declaration and Programme of Action, the World Conference on Human Rights stressed the importance of strengthening the Centre, 2/

Taking into account the establishment of the post of the United Nations High Commissioner for Human Rights, as well as the mandate for the post, including its coordinating role and its overall supervision of the Centre, as well as the request by the General Assembly in resolution 48/141 for appropriate staff and resources to enable the High Commissioner to fulfil his mandate,

Noting with concern that the response to these requests has not been commensurate with the needs, resulting in a serious imbalance between the mandates assigned to the High Commissioner and the Centre by the competent bodies of the United Nations system in the field of human rights and the resources available to fulfil all of these mandates,

Taking into account the fact that, in the Vienna Declaration and Programme of Action, the World Conference on Human Rights urged all United Nations organs, bodies and the specialized agencies whose activities deal with human rights to cooperate in order to strengthen, rationalize and streamline their activities, taking into account the need to avoid unnecessary duplication, 3/

Noting that the High Commissioner and the Centre are a unity whereby the High Commissioner, in accordance with resolution 48/141, sets the policy directions and the priority of action and the Centre implements those policies under the direction of the head of the Centre, the Assistant Secretary-General for Human Rights,

Taking into account the fact that the responsibilities of the High Commissioner include, inter alia, engaging in a dialogue with all Governments in the implementation of his mandate with a view to the promotion and protection of all human rights, and rationalizing, adapting, strengthening and streamlining the United Nations machinery in the field of human rights with a view to improving its efficiency and effectiveness,

Acknowledging that, while further improvement in the functioning and efficiency of the Centre, together with a strong emphasis on good management practices, is needed in order to enable the Centre to cope with its constantly increasing workload, good management practices need to be complemented by additional resources commensurate with additional mandates,

Taking note of the information provided by the High Commissioner with regard to the ongoing process aimed at increasing the efficiency and effectiveness of the Centre, and bearing in mind, in this context, the request

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2/ Ibid., para. 13.

3/ Ibid., para. 1.

of the Commission on Human Rights in its resolution 1995/93 of 10 March 1995 4/ to the Secretary-General to convene, at least twice a year at Geneva, meetings with all interested States to provide information on the activities conducted by the Centre and its process of restructuring,

Recognizing that this process should contribute to the strengthening of the functional framework for integrated and consolidated activities of the Secretariat in the field of human rights,

Recalling that in its report to the Special Commission of the Economic and Social Council, 5/ the Commission on Human Rights reaffirmed that the paramount consideration in the employment of staff at every level was the need for the highest standards of efficiency, competence and integrity, and that it was convinced that that was compatible with the principle of equitable geographical distribution, and bearing in mind Article 101, paragraph 3, of the Charter of the United Nations,

Taking note of the report of the Secretary-General on the strengthening of the Centre for Human Rights of the Secretariat 6/ and the note by the Secretary-General on the geographical composition and functions of the staff of the Centre, 7/ as well as the report of the United Nations High Commissioner for Human Rights, 8/

1. Supports and encourages the efforts of the Secretary-General to enhance the role and further improve the functioning of the Centre for Human Rights of the Secretariat, under the overall supervision of the United Nations High Commissioner for Human Rights;

2. Reiterates the need to ensure that all the necessary human, financial, material and personnel resources are provided without delay to the High Commissioner and the Centre to enable them to carry out efficiently, effectively and expeditiously the mandates assigned to them;

3. Requests the Secretary-General to make available additional human and financial resources, within the overall regular budget of the United Nations, to enhance the capability of the High Commissioner and of the Centre to fulfil effectively their respective mandates and their ability to carry out mandated operational activities and to coordinate efficiently with other relevant departments of the Secretariat, as well as other organs, bodies and specialized agencies of the United Nations system, including on logistical and

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4/ See Official Records of the Economic and Social Council, 1995, Supplement No. 3 and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

5/ E/CN.4/1988/85 and Corr.1.

6/ A/50/678.

7/ A/50/682.

8/ A/50/36.

4. Supports fully the High Commissioner in his efforts to strengthen the human rights activities of the United Nations, inter alia, through measures aimed at restructuring the Centre to improve its efficiency and effectiveness;

5. Requests the Secretary-General to submit an interim report to the Commission on Human Rights at its fifty-second session and a final report to the General Assembly at its fifty-first session on the strengthening of the human rights programme and on the measures taken to implement the present resolution.

99th plenary meeting
22 December 1995